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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,836

09/07/2004

Jeroen Franciscus Hubertus Van Agt

NL 020230

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04/01/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

BAIG, SAHAR A

ART UNIT

PAPER NUMBER

2424

MAIL DATE

DELIVERY MODE

04/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/506,836	Applicant(s) VAN AGT ET AL.	
	Examiner SAHAR A. BAIG	Art Unit 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/16/2008 have been fully considered but they are not persuasive. Applicant argues that the cited video camera angles from the Soloff reference represent a "single event" such as an automobile race. The invention as claimed does not specify that it cannot be for a single event. Furthermore, Soloff teaches processing and displaying different video services having different types of data elements for selective display as shown in Figures 3 and 4. A user is able to choose a different camera angle in Soloff's invention being consistent with the claimed limitation of choosing different video stream elements. The Agnihotri reference is used to show that there exists a filter capable of displaying an 'output image' [the text "very rare" 0023 line 14] in response to the data element [analysis of the phrase "once in a blue moon"] selected by the filter.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2424

3. Claims 1-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Soloff US Patent No. 6,889,384 in view of Agnihotri et al. US Patent Publication No. 2003/0065503.

Regarding Claim 1-4, 7, 8, 11, 12, 14 and 16, Soloff discloses a system for displaying information on a display device comprising: receiving means for receiving a transport stream comprising services, with the services having elementary streams of video and of non-video data-elements **[Col. 2 lines 19-23]**; user interface means for making a user selection of a type of information to be displayed on the display device **[Col. 1 lines 24-29]** a filter for selecting a first data-element of a first one of the services on basis of the user selection **[Col. 4 lines 7-25]**; rendering means for calculating an output image to be displayed on the display device, basis of the first data-element selected by the filter **Figure 5**; and switching means for switching from the first one of the services to a second one of the services, characterized in that the system is designed to apply the filter for selecting a second data-element of the second one of the services, on basis of the user selection, when being switched from the first one of the services to the second one of the services **[Col. 5 lines 30-40 the use is able to switch between the different camera angles (services) and the race information (data-element) associated with the cars will continued to be shown on the screen]**.

However Soloff fails to teach the first data-element and the second data-element being mutually semantically related. In an analogous art, Agnihotri discloses an apparatus that filters text data and translates it to a target language **[0023]**. Agnihotri shows that there exists a filter capable of displaying an 'output image' [the text "very rare" 0023 line 14] in response to the data element [analysis of the phrase "once in a blue moon"] selected by the filter. Therefore it would have been obvious to one of ordinary skill in the art to combine the teachings of Soloff and Agnihotri to devise a system capable of providing an informative and manageable user interface to make the viewing experience more enjoyable.

Regarding Claim 5, Agnihotri teaches of a storage means for storage of a parameter which determines the filter **[Figure 1; storage means 28]**.

Regarding Claim 6 and 15, Soloff discloses a system characterized in being arranged to run an application, which enables in making the user selection and of which software code is being exchanged by means of a first elementary stream of data-elements **[0037]**.

Regarding Claim 9, 10, and 13, Soloff discloses a system wherein the data elements do not include image data and wherein the rendering means calculates an output image from the data elements by generating new image data representing the data elements **[Figure 4 item 115]**.

Regarding Claim 17, it is rejected in the same manner as claim 1 above.

However the limitation of streamed video events having ancillary data associated therewith and each set of ancillary data having a data tag that identifies a type of the ancillary data is met by Agnihotri. Paragraph 0021 shows that an audio/video signal can be an MPEG stream with the auxiliary information component embedded in the user data field. Moreover, the auxiliary information component can be transmitted as a separate, discrete signal from the audio/video signal with information, e.g., timestamp, to correlate the auxiliary information to the audio/video signal.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHAR A. BAIG whose telephone number is (571)270-3005. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Kelley/
Supervisory Patent Examiner, Art
Unit 2424

SB